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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

LATRENA COOPER,)	
)	
Plaintiff,)	PLAINTIFF'S COMPLAINT AND
)	DEMAND FOR JURY TRIAL
– vs –)	
)	
GC SERVICES, LP,)	
)	
Defendant.)	

NOW COMES Plaintiff, LATRENA COOPER ("Plaintiff"), through her attorneys,
hereby alleges the following against Defendant, GC SERVICES, LP ("Defendant"):

Nature of the Action

1. This action is brought by Plaintiff pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA"); and
2. The Rosenthal Fair Debt Collection Practices Act, Cal. Civ. Code §1788 *et seq.* (RFDCPA).

Parties

3. Plaintiff is a natural person residing, in the city of Long Beach, County of Los Angeles, California and is otherwise *sui juris*.
4. Plaintiff is allegedly obligated to pay a debt and is a consumer as defined by 15 U.S.C. § 1692a(3).

- 1 5. Defendant is a Limited Partnership conducting business in the state of California, and
2 has its principal place of business in Houston, TX.
- 3 6. Defendant is a debt collector as defined by 15 U.S.C. § 1692a(6), and sought to collect a
4 consumer debt from Plaintiff.
- 5 7. Defendant acted through its agents, employees, officers, members, directors, heirs,
6 successors, assigns, principals, trustees, sureties, subrogees, representatives and insurers.

7 **Jurisdiction and Venue**

- 8 8. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states that such
9 actions may be brought and heard before “any appropriate United States district court
10 without regard to the amount in controversy.”
- 11 9. Because Defendant conducts business in California, personal jurisdiction is established.
- 12 10. Venue is proper in the United States District Court Central District of California
13 pursuant to 28 U.S.C § 1391(b) because Plaintiff resides within this District and a
14 substantial part of the events or omissions giving rise to the herein claims occurred, or a
15 substantial part of property that is the subject of the action is situated within this District.

16 **Factual Allegations**

- 17 11. On or around August 2, 2017, Defendant placed a collection call to Plaintiff seeking and
18 demanding payment for an alleged consumer debt.
- 19 12. Plaintiff’s alleged debt arises from transactions for personal, family, and household
20 purposes.
- 21 13. Defendant called Plaintiff’s telephone number at (562) 277-70XX.
- 22 14. On or around August 2, 2017, Defendant left a voicemail message on Plaintiff’s
23 answering machine.
- 24 15. In the voicemail message, Defendant failed to meaningfully disclose the company’s
25 name or the nature of the call or state that the call was from a debt collector.
16. In the voicemail message, Defendant directed Plaintiff to call back telephone number
(800) 691-3307, which is a number that belongs to Defendant.

1 17. In the voicemail message, Defendant failed to disclose the purpose of his call was to
2 collect a debt allegedly owed by Plaintiff.

3 18. Defendant is using false, deceptive and misleading means in connection with attempting
4 to collect a debt by not identifying the purpose of its phone calls or that they are an
5 attempt to collect a debt.

6 **FIRST CAUSE OF ACTION**

7 **DEFENDANT VIOLATED THE FDCPA 15 U.S.C. § 1692 et seq.**

8 19. Plaintiff repeats and incorporates by reference into this cause of action the allegations set
9 forth above at Paragraphs 1-18.

10 20. Defendant's violations of the FDCPA include, but are not limited to, the following:

- 11 a. Defendant violated §1692(d) of the FDCPA by engaging in conduct of which the
12 natural result is the abuse and harassment of the Plaintiff;
- 13 b. Defendant violated §1692(d)(6) of the FDCPA by placing a telephone call without
14 disclosing his/her identity;
- 15 c. Defendant violated §1692(e) of the FDCPA by any other false, deceptive, or
16 misleading representation or means in connection with the debt collection; and
- 17 d. Defendant violated §1692(e)(11) of the FDCPA by failing to contain the
18 warning: This is an attempt to collect a debt... communication is from a debt
19 collector.

20 **SECOND CAUSE OF ACTION**

21 **DEFENDANT VIOLATED THE ROSENTHAL FAIR DEBT COLLECTION**

22 **PRACTICES ACT**

23 **CA CIV CODE § 1788 et seq.**

24 21. Plaintiff repeats and incorporates by reference into this cause of action the allegations
25 set forth above at Paragraphs 1-20.

22. Defendant's violations of the RFDCPA include, but are not limited to, the following:

- 1 a. Defendant violated §1788.11(b) by placing a telephone call without disclosing his/her
2 identity.
- 3 b. Defendant violated §1788.17 by failing to comply with the statutory regulations
4 contained within the FDCPA, 15 U.S.C. § 1692 et seq.

5 **PRAYER FOR RELIEF**

6 **WHEREFORE**, Plaintiff prays that judgment be entered against Defendant for the following:

7 **FIRST CAUSE OF ACTION**

- 8 23. Statutory damages of \$1000.00 pursuant to 15 U.S.C. § 1692k;
9 24. Reasonable attorneys' fees, costs pursuant to 15 U.S.C. § 1692k; and
10 25. Awarding such other and further relief as may be just, proper and equitable.

11 **SECOND CAUSE OF ACTION**

- 12 26. Declaratory judgment that Defendant's conduct violated the Rosenthal Fair Debt
13 Collection Practices Act.
14 27. Statutory damages of \$1000.00 pursuant to Cal. Civ. Code §1788.30(b);
15 28. Reasonable attorneys' fees, costs pursuant to the Rosenthal Fair Debt Collection Practices
16 Act, Cal. Civ. Code § 1788.30(c), and
17 29. Actual damages and compensatory damages according to proof at time of trial.

18 **JURY TRIAL DEMAND**

- 19 30. Plaintiff demands a jury trial on all issues so triable.

20 **RESPECTFULLY SUBMITTED,**

21 Dated: August 13, 2018

22 By: /s/ Alyson J. Dykes
23 Alyson J. Dykes
24 Attorney for Plaintiff
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